

RESPONSE TO RESTRICTION REQUIREMENT

Applicant hereby confirms the election of claims 10-19 for prosecution. Claims 1-9 were cancelled because they have been withdrawn from consideration.

REMARKS

Applicant thanks the Examiner for the detailed remarks and analysis contained in the Office Action. Claims 10, 16, 18 and 19 have been amended. New claims 20-23 have been added. Applicant respectfully requests reconsideration of this application.

Claims 10, 16 and 19 were rejected under 35 U.S.C. §102(b) as being anticipated by *DeCesare*. Applicant respectfully traverses the rejection. *DeCesare* teaches an arrangement where coils are wound about axial wall portions of a stator central portion 20. This is not the same as a coil being nestingly supported between the core portions. Therefore, there is no anticipation.

Claims 11 and 12 were rejected under 35 U.S.C. §103 as being unpatentable over *DeCesare* combined with *Peck, et al.* (5,223,760) and *Weh* (5,051,641). Applicant respectfully traverses the rejection. Even if the combination were proper, the result is not the same as Applicant's claimed invention. The coil would not be supported as claimed as indicated above.

Further, the combination cannot be made and does not establish a *prima facie* case of obviousness. There must be proper motivation to make a combination of references under 35 U.S.C. §103 to establish a *prima facie* case of obviousness. In this instance, the teachings of the *Peck, et al.* reference are cited for the portions 24 and 26 and alleged to be similar to the support members of claims 11 and 12. The portions 24 and 26 of the *Peck, et al.* reference are "annular stator elements 24 and 26 [to] provide a closed magnetic path for magnetic flux

extending from inner edge 28 to outer edge 30." Column 2, lines 34-36. There is no need for such stator elements in the arrangement of *DeCesare*. *DeCesare* already provides the axial wall portions 20B and 20C that are "arranged to bridge or extend into the lateral flux fields to thereby cause the flux at the rotor axial surfaces to be coupled to the armature coils 20d." Column 4, lines 10-13. Accordingly, adding the portions 24 and 26 from *Peck, et al.* would not add anything to the arrangement of *DeCesare* and there is no benefit to making the combination. Without a benefit there is no motivation. With no motivation, there is no *prima facie* case of obviousness.

Further, the combination should not be made because the teachings of *Peck, et al.* are from a non-analogous art. *DeCesare* is concerned with an alternator whereas *Peck, et al.* are concerned with a wheel speed sensor. One skilled in the art would not look to the teachings of *Peck, et al.* to decide how to modify the teachings of *DeCesare* to arrive at Applicant's invention.

The further additional teachings of *Weh* do not remedy the problem.

Claim 14 was rejected under 35 U.S.C. §103(a) as being unpatentable over *DeCesare* and *Lange, et al.* (5,777,418). Applicant respectfully traverses the rejection. To begin with, The combination does not result in Applicant's claimed invention. Further, the motivation suggested by the Examiner for making the combination would be to "reduce floor gap while providing the same freedom on the floor." Because there is no issue with floor gap in *DeCesare*, there is no motivation within the art to make the proposed combination.

Claim 15 was rejected under 35 U.S.C. §103 as being unpatentable over *DeCesare* and *von Zwegbergk*. Applicant respectfully traverses the rejection. The result of the proposed combination is not the same as Applicant's claimed invention. *DeCesare* does not teach an arrangement having a coil supported between core portions as claimed. Further, there is no motivation to add the teachings of *von Zwegbergk* to *DeCesare* to achieve "a

higher level of efficiency of power" as suggested by the Examiner. *DeCesare* teaches an arrangement that utilizes axial and peripheral flux interaction between the coils and magnets in the arrangement of *DeCesar* to achieve better power levels. Adding the teachings of *von Zweybergk* does not appear to produce the result suggested by the Examiner. Producing a higher efficiency of power is relative to claim 15, which recites that the stator core portions comprise laminated rings.

Applicant thanks the Examiner for the indication of allowable subject matter. New claims 22 and 23 present the limitations of claims 17 and 18, respectively rewritten with original claim 17 in independent form.

The changes to the specification at paragraph 23 made above are to clarify the language of the specification and to render it more consistent with the drawing of Figure 2. No new matter has been entered.

Applicant requests that the Examiner confirm that the proper references are of record in this application. The PTO 1449 submitted by Applicant on February 7, 2001, was not provided with the copy of the Office Action sent to Applicant. Therefore, Applicant has no record that the references cited in that submission were considered by the Examiner. Additionally, a copy of a PTO 1449 from Serial No. 10/013,510 was apparently included with the Office Action in error. Lastly, Applicant notes that the *DeCesare* reference that the Examiner relied upon in making the rejections is not listed on the PTO 892 form provided with the Office Action.

Applicant respectfully submits that this case is in condition for allowance. If the Examiner believes that a telephone conference will facilitate moving this case forward to

being issued, Applicant's representative would be happy to discuss any issues regarding this application and can be reached at the telephone number indicated below.

Respectfully submitted,

CARLSON, GASKEY & OLDS

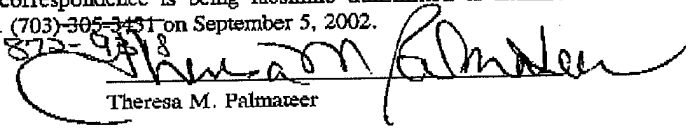
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CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to Examiner Heba Elkassabgi, Patent and Trademark Office (Fax No. (703) 305-3431) on September 5, 2002.


Theresa M. Palmateer

APPENDIX 1

"VERSION WITH MARKINGS TO SHOW CHANGES MADE"

[0005] In the preferred embodiment, the outer support members 40 include a plurality of receiver portions 44 that receive magnetic core members 46 (shown in Figure 6). The magnetic core portions 46 are provided in some examples to increase the magnetic flux density across the air gap between the stator and rotor to achieve different flux densities for different power levels, for example. The magnetic core members 46 preferably have a [generally I-shaped] selected configuration so that they are snugly received between the two support members 40 and held in place adjacent the coil 26. In one example, the core members 46 are generally I-shaped. In the illustrated example, the core members 46 have a generally T-shaped configuration. As illustrated, when magnetic core members 46 are utilized, they preferably are interspersed between the sets of projections 32 on the stator core portions 28.

APPENDIX 2

"VERSION WITH MARKINGS TO SHOW CHANGES MADE"

10. (Amended) A motor assembly comprising:

a stator having first and second stator core portions and a coil nestingly supported between the core portions such that at least part of axial surfaces on the coil are covered by the core portions;

a rotor having a core and a plurality of magnets, the stator and rotor being supported for relative rotary motion between the rotor and the stator such that the plurality of magnets of the rotor interact with the stator core portions during such relative rotary motion.

16. (Amended) The assembly of claim 10, wherein each stator core portion includes a generally annular ring and a plurality of circumferentially spaced projections that project radially inward from the ring.

18. (Amended) The assembly of claim 17, including a plurality of slots in the support members and [inserting] at least one magnetic core member inserted into each of at least some of the slots.

19. (Amended) The assembly of claim 10, including a bonding agent on the stator that bonds the stator core portions together.

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